

**FACSIMILE MESSAGE**  
**FROM THE OFFICE OF:****RECEIVED**  
**CENTRAL FAX CENTER**  
**SEP 28 2006****Gowan**  
**Intellectual**  
**Property****Patents, Trade Marks & Designs**Your Ref: Appln No.10/694852Date: September 28, 2006Our Ref: 2077-42FROM: Gerald A. GowanTO: Company: USPTOAttention: Examiner Robin Hylton - Group Art Unit 3727Fax #: 571-273-8300# OF PGS INCL COVER: 19**COMMENTS:****Re: US Patent Application No. 10/694852 - Inventor: DURDON**  
**"Disposable Cup Lid with Condiment Tab"****Includes:**

Fax cover Sheet - 1 page

Transmittal Form - 1 page

Fee Transmittal Form - 1 page

Credit Card Payment Form - 1 page

Cover Letter - 2 pages

Information Disclosure Statement - 1 page


Copy of EP 0849187 - 11 pages

Certificate of Transmission - 1 page

Total: 19 pages

**Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent &amp; Trademark Office on the date shown above.

  
Name: Gerald A. Gowan  
Regn. No. 37041**CONFIDENTIALITY NOTICE****Please take note that the enclosed documentation is intended for receipt only by the above-named addressee. If you are not that person, please call us, and please return this page and all the pages that follow by mail to the address noted below.****1075 North Service Road West, Suite 203**  
**Oakville, Ontario CANADA L6M 2G2**  
**TELEPHONE NO: (905) 827-5000 FACSIMILE NO: (905) 827-5087**

SEP 28 2006

PTO/SB/21 (09-04)

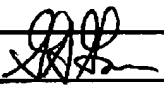
Approved for use through 07/31/2008. OMB 0851-0031

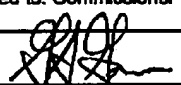
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/694852
	Filing Date	October 29, 2003
	First Named Inventor	DURDON
	Art Unit	3727
	Examiner Name	HYLTON, R.
Total Number of Pages in This Submission	Attorney Docket Number	2077-42

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Gowan Intellectual Property		
Signature			
Printed name	Gerald A. Gowan		
Date	September 29, 2006	Reg. No.	37041

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Gerald A. Gowan	Date	September 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SEP 28 2006

PTO/SB/17 (10-04v2)

Approved for use through 07/31/2008. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ ) 180.00**Complete if Known**

Application Number	10/694,852
Filing Date	October 29, 2003
First Named Inventor	DURDON
Examiner Name	HYLTON, R.
Art Unit	
Attorney Docket No.	2077-42

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	780	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$ ) 0</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		-20** =		X		=	
Independent Claims		-3** =		X		=	
Multiple Dependent							

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>(\$ )</b>

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	680	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 180.00**SUBMITTED BY**

Name (Print/Type) Gerald A. Gowan

Signature

Registration No.  
(Attorney/Agent)

37041

(Complete if applicable)

Telephone 905-827-5000

Date

September 28, 2006

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

SEP 28 2006

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on September 28, 2006  
Date



Signature

Gerald A. Gowan

Typed or printed name of person signing Certificate

37041

Registration Number, if applicable

905-827-5000

Telephone Number

**Note:** Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Includes:

Ref: 2077-42

Fax Cover Sheet - 1 page  
Transmittal Form - 1 page  
Fee Transmittal Form - 1 page  
Credit Card Payment Form - 1 page  
Cover Letter - 2 pages

- Information Disclosure Statement - 1 page  
- Copy of EP 0849187 - 11 pages  
- Certificate of Transmission - 1 page

TOTAL: 19 Pages

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**RECEIVED  
CENTRAL FAX CENTER  
SEP 28 2006

Application of:	DURDON, Terrance	Docket No.:	2077-42
US Serial Number:	10/694852	Filed:	October 29, 2003
Title:	Disposable Cup Lid with Condiment Tab		
Group Art Unit:	3727	Examiner:	Robin A. HYLTON

September 28, 2006

Commissioner of Patents  
Alexandria, Virginia 22313-1450

Sir:

Enclosed is an Information Disclosure Statement which is being filed in respect of the above identified application. Applicant herewith cites prior art which may be material to the patentability of the application and which is identified on the enclosed completed Information Disclosure Statement Form(s), namely USPTO forms PTO/SB/08A, and/or PTO/SB/08B.

Pursuant to the requirements set forth in 37 C.F.R. § 1.56 and § 1.97, and having regard to the provisions of 37 C.F.R. § 1.97(c) and 1.97(e)(1), the attention of the Examiner is invited to the documents listed on the attached Form(s).

Copies of any non-US Patent Documents, and non-patent references are also enclosed.

It is to be noted that the filing of this information disclosure statement is not to be construed as a representation that a search has been made; or to be construed as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §§ 1.56(b).

Applicant believes that, through submission of this Information Disclosure Statement, all attempts have been made in good faith to address all outstanding issues. Thus, entry of this Information Disclosure Statement into the records of this application, is earnestly solicited.

This Information Disclosure Statement is being filed in accordance the Rules and Regulations of the United States Patent and Trade Mark Office, as indicated below, namely:

- ( ) A. Within one of the following time periods
- ( ) (1) Within three months of the filing date of a national application other than a continued prosecution application under §§ 1.53(d);
  - ( ) (2) Within three months of the date of entry of the national stage as set forth in §§ 1.491 in an international application;
  - ( ) (3) Before the mailing of a first Office action on the merits; or
  - ( ) (4) Before the mailing of a first Office action after the filing of a request for continued examination under §§ 1.114.

09/29/2006 MBINAS 00000005 10694852

01 FC:1806

180.00 OP

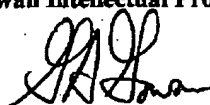
Page 2

- ( ☒ ) B. After the period specified above, but before the mailing date of any of a final action under §§ 1.113, a notice of allowance under §§ 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by one of:
- ( ☐ ) (1) The statement specified in 37 CFR 1.97(e); or
  - ( ☒ ) (2) The fee set forth in §§ 1.17(p).
- ( ☐ ) C. After the period specified in part B. herein, but is being filed on or before payment of the issue fee and is accompanied by:
- (1) The statement specified in 37 CFR 1.97(e); and
  - (2) The fee set forth in §§ 1.17(p).

Statement under 37 CFR 1.97(e), where applicable, and where indicated:

- ( ☐ ) That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ( ☐ ) That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §§ 1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,  
Gowan Intellectual Property



Gowan Intellectual Property  
1075 North Service Road West  
Suite # 203  
Oakville, Ontario  
CANADA L6M 2G2  
T: 905-827-5000  
F: 905-827-5087

Per: Gerald A. Gowan  
Registered Patent & Trade-Mark Agent  
US Registration No. 37,041 / US Client No. 58388  
email: ggowan@gowanip.com

GAG:jm  
encls.

PTO/SB/08A (07-05)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/694852
Filing Date	October 29, 2003
First Named Inventor	DURDON
Art Unit	3727
Examiner Name	Hylton, Robin Annette
Attorney Docket Number	2077-42

Sheet	1	of	1
-------	---	----	---

## U. S. PATENT DOCUMENTS

[illegible]

**FOREIGN PATENT DOCUMENTS**

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>2</sup> -Number <sup>4</sup> -Kind Code <sup>3</sup> (if known)				
		EP 0849187	06-24-1998	Amhil		

Examiner Signature	Date Considered
-----------------------	--------------------

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of Information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*